

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOBEX HEMINGWAY, :
Plaintiff, : Civil Action No. 09-3198 (WJM)
v. :
EDWARD DeFAZIO, :
Defendant. : **ORDER**
: **CLOSED**

For the reasons expressed in the Opinion filed herewith,
IT IS on this 6th day of July, 2009,
ORDERED that Plaintiff's application to proceed in forma
pauperis is hereby DENIED, without prejudice; and it is further
ORDERED that the Clerk of the Court shall supply to
Plaintiff a blank form Application to Proceed In Forma Pauperis;
and it is further

ORDERED that the Clerk of the Court shall administratively
terminate this case, without filing the Complaint or assessing a
filing fee; and it is further

ORDERED that if Plaintiff wishes to reopen this action, he
shall so notify the Court, in writing addressed to the Clerk of
the Court, Martin Luther King Building and U.S. Courthouse, 50
Walnut Street, Newark, New Jersey, 07101, within 30 days of the
date of entry of this Order; Plaintiff's writing shall include
either (1) a complete in forma pauperis application, including an
affidavit of indigence and six-month prison account statement,
for the six-month period immediately preceding the June 24, 2009,

date of the Complaint, certified by the appropriate official of each prison at which the prisoner is or was confined, or (2) the \$350 filing fee; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail.

s/William J. Martini

William J. Martini
United States District Judge